

# **BUILD AMERICA, BUY AMERICA ACT COMPLIANCE CERTIFICATE**

Buy America certification for: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Bidder is to complete separate certifications for each line item or group of similar items contained in their bid response that the bidder is providing alternative unit price(s) for, to be purchased under bid invitation #1755).

**As an alternative to providing this Certificate, bidders may substitute the manufacturer's Build America/Buy America certification for each line item or group of similar items, as long as the manufacturer's certification meets or exceeds the requirements set forth below.**

**Buy America** - The contractor/bidder/supplier agrees to comply with 23 U.S.C. § 313 and 23

C.F.R. Part 635, in particular 23 C.F.R. § 635.410, which provide that Federal funds may not be obligated unless steel, iron, and manufactured products used in FHWA-funded projects are produced in the United States, unless a waiver has been granted by FHWA or the product is subject to a general waiver.

A contractor/bidder/supplier must submit to Frankfort Plant Board the appropriate Build America, Buy America certification (below) with all bids or offers on FHWA-funded contracts, except those subject to a general waiver. Bids or offers that are not accompanied by a completed Buy America certification must be rejected as nonresponsive.

## **Certification requirement for procurement of steel, iron, or manufactured products.**

*Certificate of Compliance with 23 U.S.C. § 313 and Build America, Buy America Act ("Act")*

The contractor/bidder/supplier hereby certifies that it has met [with respect to recently purchased materials] and will meet the requirements of 23 U.S.C. § 313 and the applicable regulations in 23

C.F.R. Part 635. This requires use of a "step certification" or other process that certifies the location of each manufacturing step for every piece of steel or iron material used on the project was completed in the United States. Every certification should refer to the heat number and mill certification or similar reference that enables tracking of the materials.

## **The Build America, Buy America Act requires the following:**

(1) All iron and steel used in the project are produced in the United States. This means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States.

(2) All manufactured products used in the project are produced in the United States. This means the manufactured product was manufactured in the United States, and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent (currently) of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation. The required domestic content threshold increases as follows:

<b>Effective Date</b>	<b>Domestic Content Threshold</b>
March 7 – October 24, 2022	55%
October 25, 2022–December 31, 2023	60%
January 1, 2024 – December 31, 2028	65%
January 1, 2029	75%

(3) All construction materials are manufactured in the United States. This means that all manufacturing processes for the construction material occurred in the United States.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Company Name: \_\_\_\_\_

Title: \_\_\_\_\_